

105TH CONGRESS  
1ST SESSION

# S. 182

To make available for obligation such sums as are necessary to pay the Federal share of completion of construction of the Appalachian development highway system, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 22, 1997

Mr. BYRD introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To make available for obligation such sums as are necessary to pay the Federal share of completion of construction of the Appalachian development highway system, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Appalachian Develop-  
5       ment Highway System Completion Act”.

### 6   **SEC. 2. FINDINGS.**

7       Congress finds that—

1           (1) the Appalachian Regional Development Act  
2           of 1965 (40 U.S.C. App.) enacted into law a Federal  
3           commitment to the completion of the Appalachian  
4           development highway system for the purpose of ex-  
5           panding highway access to the Appalachian region;

6           (2) economic prosperity within the Appalachian  
7           region since that time has been brought about by,  
8           and has centered around, the availability of adequate  
9           highway access;

10          (3) the rationale behind the completion of the  
11          Appalachian development highway system is as  
12          sound today as it was in 1965, but while the Inter-  
13          state System is nearly 100 percent complete, the Ap-  
14          palachian development highway system is only 76  
15          percent complete;

16          (4) those areas in which the Appalachian devel-  
17          opment highway system is not yet complete suffer  
18          from inadequate road systems characterized by low  
19          travel speeds, long travel distances, and unsafe con-  
20          ditions; and

21          (5) there are unfinished miles of the Appalach-  
22          ian development highway system in all 13 of the  
23          States with counties in the statutorily-designated  
24          Appalachian region.

1 **SEC. 3. COMPLETION OF APPALACHIAN DEVELOPMENT**  
 2 **HIGHWAY SYSTEM.**

3 (a) AUTHORIZATION.—

4 (1) IN GENERAL.—Subject to subsection (d),  
 5 there are authorized to be appropriated out of the  
 6 Highway Trust Fund (other than the Mass Transit  
 7 Account) for the period of fiscal years 1998 through  
 8 2003 such sums as are necessary to fund the Fed-  
 9 eral share of the total estimated cost of completion  
 10 of construction of the Appalachian development  
 11 highway system authorized by section 201 of the Ap-  
 12 palachian Regional Development Act of 1965 (40  
 13 U.S.C. App.), as determined by the Secretary of  
 14 Transportation.

15 (2) TRANSFER AND ADMINISTRATION OF  
 16 FUNDS.—The Secretary shall transfer the funds  
 17 made available by paragraph (1) to the Appalachian  
 18 Regional Commission, which shall be responsible for  
 19 the administration of the funds.

20 (b) FEDERAL SHARE.—The Federal share under this  
 21 section shall be 80 percent.

22 (c) APPORTIONMENT TO STATES.—In carrying out  
 23 subsection (a), the Secretary shall apportion the funds to  
 24 the 13 States in the Appalachian region in accordance  
 25 with each State's portion of the total estimated cost of  
 26 completion.

1 (d) ALLOCATION PERCENTAGES.—One-sixth of the  
2 funds allocated by subsection (a) for the construction shall  
3 be available for obligation in each of fiscal years 1998  
4 through 2003.

5 (e) DELEGATION TO STATES.—Subject to title 23,  
6 United States Code, the Secretary shall delegate respon-  
7 sibility for completion of construction of each segment of  
8 the Appalachian development highway system under this  
9 section to the State in which the segment is located, upon  
10 request of the State.

11 (f) ADVANCE CONSTRUCTION.—When a State that  
12 has been delegated responsibility for construction of a seg-  
13 ment under subsection (c)—

14 (1) has obligated all funds allocated under this  
15 section for construction of the segment; and

16 (2) proceeds to construct the segment without  
17 the aid of Federal funds in accordance with all pro-  
18 cedures and all requirements applicable to the seg-  
19 ment, except insofar as the procedures and require-  
20 ments limit the State to the construction of seg-  
21 ments with the aid of Federal funds previously allo-  
22 cated to the State;

23 the Secretary, upon approval of the application of a State,  
24 shall pay to the State the Federal share of the cost of

1 construction of the segment at such time as additional  
2 funds are allocated for the segment under subsection (d).

3 (g) CONTRACT AUTHORITY.—Funds authorized by  
4 this section shall be available for obligation in the same  
5 manner as if the funds were apportioned under chapter  
6 1 of title 23, United States Code, except that—

7 (1) the Federal share of the cost of any con-  
8 struction under this section shall be determined in  
9 accordance with subsection (b); and

10 (2) the funds shall remain available until ex-  
11 pended.

12 (h) INAPPLICABILITY OF OBLIGATION LIMITA-  
13 TIONS.—Notwithstanding any other provision of law, any  
14 obligation limitation enacted for any of fiscal years 1998  
15 through 2003 shall not apply to obligations authorized  
16 under this section.

17 (i) OTHER STATE FUNDS.—Funds made available to  
18 a State under this section shall not be considered in deter-  
19 mining the apportionments and allocations that any State  
20 shall be entitled to receive, under title 23, United States  
21 Code, and other law, of amounts in the Highway Trust  
22 Fund.

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